

7-10-07

PATENT
Attorney Docket No. 067461-5041US06

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

DAHIYAT *et al.*

Application No. 10/665,307

Filed: September 18, 2003

For: Protein Design Automation
for Protein Libraries

Examiner: DEJONG, Eric S.

Art Unit: 1631

Conf. No.: 6927

CERTIFICATE OF ELECTRONIC TRANSMISSION UNDER 37 C.F.R.
1.6(a)(4)

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Patent and Trademark Office on:

Dated: July 10, 2007

Signed: 
Victoria Linne Poulsen

REQUEST FOR REFUND OF OVERPAYMENT OF FEES

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants herewith request a refund of \$195.00 for overpayment of fees for a
Statutory Disclaimer filed on July 9, 2007 to be credited to Deposit Account No. 50-0310
067461-5041-US06.) Applicants submitted a Statutory Disclaimer via EFS Webfiling as Small
Entity applicants on July 9, 2007; however, due to technical difficulties with the field codes on
the fee calculation worksheet, Applicants were charged the Statutory Disclaimer fees for a
Large Entity application in error.

A copy of Applicants Fee Calculation Worksheet and correspondence with the
Electronic Business Center acknowledging the error is attached to this request for refund in
support of Applicants request.

Although the Applicants do not believe any additional fees are required, the
Commissioner is authorized to charge any additional fees, including extension fees or other
relief, which may be required, or credit any overpayment to Deposit Account No. 50-0310
(Our order no. 067461-5041-US06 /67229-13/RMS).

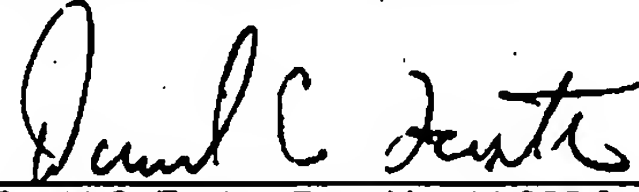
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The undersigned is an attorney or agent of record.

MORGAN, LEWIS & BOCKIUS LLP

Dated: July 10, 2007

By:



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Robin M. Silva, Reg. No. 38,304
Attorney of Record for Applicant
Filed Under 37 C.F.R. 1.34

1-SF/7573528.1

Electronic Patent Application Fee Transmittal

Application Number:	10665307			
Filing Date:	18-Sep-2003			
Title of Invention:	Protein design automation for protein libraries			
First Named Inventor/Applicant Name:	Bassil I. Dahlyat			
Filer:	Robin M. Silva/Victoria Poulsen			
Attorney Docket Number:	67461-5041-US06			
Filed as Small Entity				
Utility Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total In USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Statutory disclaimer	1814	3	130	390
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				390



ebc@uspto.gov
07/09/2007 06:17 PM

To vpoulsen@morganlewis.com
cc
bcc
Subject RE: Terminal Disclaimer Fee US Appln. Serial No.
10/665,307

Good Evening

We are currently experiencing problems with some of the fields in EFS due to the upgrade, uspto is currently working on the problem to resolve some of the issues. If you have been over charged for your filing please submit a refund for the over charged amount. We apologize for the inconvenience and we are working to have EFS web corrected and fully operational .

Jpw
ECB

[THREAD ID:1-1HKJYT]

-----Original Message-----

From: vpoulsen@morganlewis.com
Sent: 7/9/2007 07:03:02 PM
To: EBC@uspto.gov
Subject: Terminal Disclaimer Fee US Appln. Serial No. 10/665,307

Why am I being charged the Large entity fee for terminal disclaimer even though I elected Small Entity on my fee calculation sheet and my client is a small entity client?

I just filed a terminal disclaimer document that had three disclaimers, and I should only have been charged 195.00 but every time I clicked on the small entity button, I was not given the small entity fee option.

Is this a flaw with the EFS web filing fee calculation sheet, and will I have to request a refund of overpayment of fees everytime this happens?

1814/2814 1.20(d) Statutory disclaimer 130.00 65.00

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Statutory disclaimer	1814	00000632	130	390
Extension-of-Time:				

Adjustment date: 07/19/2007 SDIRETAE
07/10/2007 INTEFSW 00003298 500310 10665307
01 FC:1814 390.00 CR

07/19/2007 SDIRETAE 00000632 500310 10665307
01 FC:2814 195.00 DA

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				390